

Attorney Docket No. 02036/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s) : Tomoya YOSHIDA
Serial No. : 10/057,364
Confirm. No. : 2010
Filed : January 24, 2002
For : ADMINISTRATION SYSTEM,
ADMINISTRATION APPARATUS,
RELAY SERVER, ADMINISTRATION
APPARATUS AND ADMINISTRATION
METHOD
Art Unit : 2154
Examiner : Joshua Joo

This paper is being submitted via
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Review of the Final Rejection in the above-identified application is respectfully
requested. No amendments are being filed with this request, and this request is being
filed with a Notice of Appeal.

The review is requested for the reasons set forth on the following five pages of
explanation.

REMARKS

A Final Rejection was issued on April 18, 2007. This Pre-Appeal Brief Request for Review is being filed to request review of, in particular, the rejection under 35 USC 103 of independent claims 14, 25 and 28, on the grounds that the Examiner has clearly failed to establish a case of prima facie obviousness since even if the combination of references cited by the Examiner were reasonable, the resultant combination would still fail to disclose or reasonably suggest all of the features recited in each independent claim. More specifically, the combination of USP 6,240,456 ("Teng et al"), USP 5,887,216 ("Motoyama et al") and USP 6,362,870 ("Mui et al") clearly fails to suggest a relaying server in the manner recited in claims 14, 25 and 28, and therefore also clearly fails to suggest the structure for transmitting information to the relaying server and for accessing the relaying server to obtain information from the relaying server recited in independent claims 14, 25 and 28.

Independent claims 14, 25 and 28 as currently pending are set forth in the Amendment filed on October 19, 2006. For a discussion of the subject matter recited in claim 14, see page 2, line 4 to page 4, line 5 of the Response filed on March 26, 2007.

Significantly, independent claim 14 recites, in particular, "a relaying server located outside the first and second local networks and connected to the Internet for enabling the administrated apparatus and the administrating apparatus to indirectly communicate with each other via the Internet." According to claim 14, moreover, the relaying server comprises a memory which stores trouble type information transmitted from the administrated apparatus. Further, according to claim 14, the administrated apparatus comprises: a transmitting section which transmits trouble type information to the relaying server through the first firewall server and the Internet, an accessing

section which accesses the relaying server and obtains restoration work information based on the trouble type information from the relaying server through the first firewall server and the Internet, and a control section which controls the administrated apparatus to conduct an automatic restoration process in accordance with the restoration work information.

Thus, claim 14 recites a relaying server, which is connected to the Internet, and which comprises a memory that stores trouble type information transmitted from the administrated apparatus. The administrated apparatus, moreover, comprises sections which transmit information through the Internet to the relaying server and access the relaying server to obtain information from the relaying server through the Internet.

The Examiner asserts that Teng et al discloses a relaying server, but the Examiner acknowledges that Teng et al does not disclose providing a relaying server that is located outside a first local network (in which the administrated apparatus is located and which has a first firewall server) and outside a second local network (in which the administering apparatus is located and which has a second firewall server). The Examiner has cited Motoyama et al as disclosing an administrated apparatus located in a first local network and an administering apparatus located in a second local network, as recited in claim 14. The Examiner asserts, moreover, that Motoyama et al discloses providing a relaying server outside the first and second local networks.

Specifically, the Examiner contends that any of the interconnected computers and routers 12A-12I of Motoyama et al may be the relaying server recited in claim 14. It is respectfully pointed out, however, that elements 12A-12I of Motoyama et al are merely elements forming the Internet 10 according to Motoyama et al. See column 4, lines 43-45 of Motoyama et al: “the Internet is generally designated by 10. The

internet 10 includes a plurality of interconnected computers and routers designated by 12A-12I.” Thus, Motoyama et al clearly does not disclose a relaying server connected to the Internet to enable the administrated apparatus and the administering apparatus to indirectly communicate with each other via the Internet. Instead, Motoyama et al merely discloses a representation of the Internet.

Indeed, it is respectfully pointed out that Motoyama et al does not disclose any communication performed by an administrated apparatus or an administering apparatus in the manner recited in claim 14 and therefore does not suggest that any of the computers and routers 12A-12I thereof are a relaying server as recited in claim 14. That is, Motoyama et al clearly fails to suggest an administrated apparatus which transmits information to a relaying server (one of the elements 12A-12I of Motoyama et al, according to the Examiner), or which accesses the relaying server to obtain information from the relaying server (one of the elements 12A-12I of Motoyama et al, according to the Examiner) that has been provided to the relaying server by an administering apparatus. It is respectfully submitted, therefore, that Motoyama et al clearly does not in any way suggest that one of the elements 12A-12I (of the Internet) is a relaying server.

Moreover, it is respectfully pointed out that Motoyama et al does not suggest that any of the elements 12A-12I comprises a memory which stores information (namely trouble type information) transmitted from the administrated apparatus, as recited in claim 14.

In view of the foregoing, it is respectfully submitted that, contrary to the Examiner’s assertion in item 9 at the top of page 4 of the Office Action, it is not

reasonable to interpret Motoyama et al as disclosing that one of element 12A-12I of the Internet 10 is a relaying server as recited in claim 14.

Accordingly, it is respectfully submitted that even if the combination of Teng et al, Motoyama et al and Mui et al suggested by the Examiner were reasonable, the resulting combination, consistent with the fair teachings of each of the cited references, still would not achieve or reasonably suggest a relaying server as recited in independent claim 14.

Independent claims 25 and 28, moreover, recite an administrated apparatus and an administering apparatus, respectively, for an apparatus administration system that includes: (i) the administrated apparatus located in a first local network and connected to the Internet through a first firewall server of the first local network, (ii) the administering apparatus located in a second local network and connected to the Internet through a second firewall server of the second local network, and (iii) a relaying server located outside of the first and second firewall servers and connected to the Internet for enabling the administrated apparatus and the administering apparatus to indirectly communicate with each other via the Internet. Each of claims 25 and 28, moreover, recites a transmitting section and an accessing section (of the administrated apparatus in claim 25, and of the administering apparatus in claim 28) which transmit information through the Internet to the relaying server, and which access the relaying server to obtain information from the relaying server through the Internet. And it is respectfully submitted (for the reasons described hereinabove with respect to claim 14) that the combination of Teng et al, Motoyama et al and Mui et al also would not achieve or render obvious a relaying server as recited in claim 25 or a relaying server as recited in claim 28.

Thus, in view of the foregoing, it is respectfully submitted that even if the combination of Teng et al, Motoyama et al and Mui et al suggested by the Examiner were reasonable, the resultant combination would not achieve or render obvious all of the structural features recited in independent claims 14, 25 and 28. Accordingly, it is respectfully submitted that the Examiner has clearly failed to establish a case of *prima facie* obviousness of independent claims 14, 25 and 28.

* * * * *

In view of the foregoing, it is respectfully requested that the Pre-Appeal Brief Conference Panel withdraw the rejection of claims 14, 25 and 28, as well as claims 15-24, 26-27 and 29-30 respectively depending therefrom.

Respectfully submitted,

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